

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

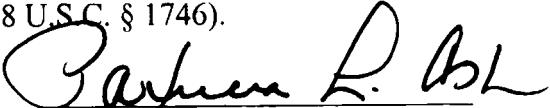
JOHN MITCHELL)
Plaintiff)
)
v.) CIVIL ACTION NO. 05-264 CV
)
UNITED STATES OF AMERICA,)
DEPARTMENT OF DEFENSE,)
DEPARTMENT OF THE ARMY, and)
DENNIS DUNN,)
Defendants)

DECLARATION

1. I, Patricia "Tish" Ash, declare as follows:
 2. I am an EEO Specialist, GS-260-13, for the Department of the Army, Equal Employment Opportunity Compliance and Complaints Review (EEOCCR), located in Arlington, VA. Among my duties is to receive notices from complainants of administrative appeals and intent to sue under Title VII of the Civil Rights Act, the Rehabilitation Act, or the Age Discrimination in Employment Act.
 3. An exhaustive search of records maintained by EEOCCR has found that this office has no record of receiving an appeal filed by the plaintiff, John Mitchell. Notification of Mr. Mitchell's civil action was received by EEOCCR from Army Litigation on November 30 2005. EEOCCR did not receive an advance copy of Mr. Mitchell's intent to sue prior to receiving notification from Army Litigation.

4. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. (28 U.S.C. § 1746).

Executed on: February 15, 2006


Patricia Ash
EEO Specialist
Department of the Army, EEOCCR